

**TM/19/00376/OAEA**

**Annex 3 (responses from KCC Economic Development)**

Initial response



**Economic Development**

Invicta House  
County Hall  
Maidstone  
ME14 1XX

Phone: 03000 417075  
Ask for: Allan Gilbert  
Email: [allan.gilbert@kent.gov.uk](mailto:allan.gilbert@kent.gov.uk)

29 April 2019

Your Ref: TM/19/00376/OAEA  
Our Ref: K/E/TM/19/00376 AG

Tonbridge & Malling Borough Council  
Development Control  
Gibson Building  
Gibson Drive  
Kings Hill  
WEST MALLING  
Kent  
ME19 4LZ

FAO: Matthew Broome

Dear Matthew,

**Provision and Delivery of County Council Community Services**

I refer to the above planning application which concerns proposed residential development at **Land South West of London Road & West of Castor Park, Allington** and comprising: **106 new households**.

The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

- 1) Necessary,
- 2) Related to the development, and
- 3) Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

**Request Summary**

	Per 'applicable' House (x68)	Per 'applicable' Flat (x14)	Total	Project
Primary Education	£4535.00	£1134.00	£324,256.00	Towards Phase 1 of a new Aylesford Primary School
Primary Land	£3208.18	£802.05	£229,384.94	Towards land acquisition for a new Aylesford Primary School
Secondary Education	£4115.00	£1029.00	£294,226.00	Aylesford School enhancement of teaching space

'Applicable' excludes 1 bed units of less than 56 sqm GIA - please confirm the 9 x 1 bed houses and 15 x 1 bed flats are below this threshold?

	Per Dwelling (x106)	Total	Project
Community Learning	£32.57	£3,452.36	Aylesford School Adult Education Centre additional equipment for the new learners
Youth	£13.47	£1,427.84	Towards Aylesford Youth Club
Library bookstock	£79.35	£8,411.47	Towards Larkfield Library enhancement and additional bookstock for the new borrowers
Social Care	£55.90	£5,925.40	Towards the Aylesford Priory Changing place facility
	<b>1 Wheelchair Adaptable Home</b> as part of the on site affordable homes delivery		
High Speed Fibre Optic Broadband connection:	<p>INFORMATIVE: Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice on how to proceed with providing access to superfast broadband please contact <a href="mailto:broadband@kent.gov.uk">broadband@kent.gov.uk</a></p>		
Highways	<i>Kent Highway Services will advise separately</i>		

Please note that these figures:

- are to be **index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment** (Oct-16 Index 328.3)
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

#### **Justification for infrastructure provision/development contributions requested**

The County Council has reviewed the impact of this proposal on the provision of its existing services and the outcomes of this process are set out below and in the Appendices **1, 2 & 3** attached.

#### **Primary Education**

The proposal gives rise to 20 additional primary school pupils during occupation of the development. This need, cumulatively with other new developments in the vicinity, can only be met through the provision of a new Primary School in Aylesford.

The additional Primary School pupils arising from the proposal could only be accommodated through the construction of a new primary school; there are no existing local schools which can be expanded to mitigate the direct demand generated. The ability for the County Council to mitigate the impact of the proposed development is dependent on securing land in the local area of sufficient size to accommodate a two-form entry primary school; this process is currently ongoing through both the Borough's Local Plan process and as part of a current separate planning application (TM/17/01595).

Land required for the school is not within this application site and is not yet within the County Council's ownership nor is the landowner of the intended school land obligated to transfer it to the County Council as part of an existing planning obligation. The intended new school which will form mitigation for this proposal is within site LP28 of Tonbridge and Malling's draft Local Plan, the proposed policy for which includes provision of a Two Form Entry Primary School Site. The Local Plan is at submission stage as of January 2019 and consequently is not yet adopted policy; there is not yet assurance that the provision of a Two Form Entry primary school site will be made within the Aylesford area.

The proposed allocation site (LP28) is subject to a current planning application (TM/17/01595) for 840 new dwellings and a primary school, the application does include provision of land for a school but the area of land has not yet been finalised; should the area not be sufficient to accommodate a two form entry school then the new school within TM/17/01595 would not be able to act as mitigation for this application site TM/19/00376.

A suitable mechanism such as a Grampian condition to prevent the development from generating pupil demand prior to the necessary school site being secured by the County Council would be required to ensure the direct impact of the proposal could be mitigated.

This proposal has been assessed in accordance with the KCC Development Contributions Guide methodology of '*first come, first served*' assessment; having regard to the indigenous

pupils, overlain by the pupil generation impact of this and other new residential developments in the locality.

The County Council requires a financial contribution towards the build costs of a **new Primary School in Aylesford at £4535 for each 'applicable' house & £1134 for each 'applicable flat** ('applicable' means: all dwellings, except 1 bed of less than 56sqm GIA and any sheltered accommodation).

The County Council also requires proportionate contributions towards the Primary School **land** aquisition cost at **£3208.18 per applicable house** and **£802.05 per applicable flat**.

The site acquisition cost is based upon current local land prices and any section 106 agreement would include a refund clause should all or any of the contribution not be used or required. The school site contribution will need to be reassessed immediately prior to KCC taking the freehold transfer of the site to reflect the price actually paid for the land.

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority has to ensure provision of sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011

KCC will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its Commissioning Plan for Education Provision 2019-23 and Delivering Bold Steps for Kent - Education, Learning and Skills Vision and Priorities for Improvement, Dec 2013.

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#### **Secondary School Provision**

The impact of this proposal on the delivery of the County Council's services is assessed in **Appendix 1**

A contribution is sought based upon the additional need required, where the forecast secondary pupil product from new developments in the locality results in the maximum capacity of local secondary schools being exceeded.

The proposal is projected to give rise to 14 additional secondary school pupils from the date of occupation of this development. This need can only be met through the **enhancement of teaching space at Aylesford School**.

Please note where a contributing development is to be completed in phases, payment may be triggered through occupation of various stages of the development comprising an initial payment and subsequent payments through to completion of the scheme.

The new secondary school accommodation will be provided through enhanced teaching space at Aylesford School and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan (where available); timetable and phasing.

Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

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### **Community Learning**

There is an assessed shortfall in provision for this service: the current adult participation in both District Centres and Outreach facilities is in excess of current service capacity, as shown in Appendix 2, along with cost of mitigation.

To accommodate the increased demand on KCC Adult Education service, the County Council requests **£32.57 per dwelling** towards the cost of providing additional equipment and classes at Aylesford School Adult Education Centre, local to the development.

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### **Libraries**

KCC are the statutory library authority. The library authority's statutory duty in the Public Libraries and Museums Act 1964 is to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

Borrower numbers are in excess of capacity, and there is an assessed shortfall in bookstock provision of 1007 bookstock per 1000 population in Tonbridge North which is below the County average of 1134, and both the England and total UK figures of 1399 and 1492 respectively. The capital cost of providing enhancements to Larkfield Library and supplying the additional stock required to mitigate the impact of the additional borrowers from this development is **£8,411.47**.

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### **Youth Service**

To accommodate the increased demand on KCC services the County Council requests **£13.47 per dwelling** towards Aylesford Youth club.

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### **Social Care**

The proposed development will result in additional demand upon Social Care (SC) (older people, and also adults with Learning or Physical Disabilities) services, however all available care capacity is fully allocated already, and there is no spare capacity to meet additional demand arising from this and other new developments which SC are under a statutory obligation to meet. In addition, the Social Care budgets are fully allocated, therefore no spare funding is available to address additional capital costs for social care clients generated from new developments.

To mitigate the impact of this development, KCC Social Care requires:

- a proportionate monetary contribution of **£55.90 per household** (as set out in Appendix 3) towards Changing Places facility at Aylesford Priory local to the development.
- Please also ensure the delivery of **1 Wheelchair Adaptable Home** (as part of the affordable housing element on this site), with nomination rights given in consultation with KCC Social Care; need as evidenced below:

Local Authority	High priority applicants needing wheelchair accessible housing	Comments on waiting time	Any other observations (Kent Agency Assessment: KAA)
Tonbridge & Malling BC	24	Average 106 weeks waiting time since March 2012	All Band A cases

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#### **Superfast Fibre Optic Broadband**

Broadband Delivery UK (BDUK), part of the Department for Culture, Media and Sport, requires delivery of superfast broadband to all.

It is requested Tonbridge & Malling Borough Council include within any Planning Consent the requirement to provide 'fibre to the premise' (Superfast fibre optic broadband) to all buildings (residential, commercial, community etc) of adequate capacity (internal min speed of 100mb to each building) for current and future use of the buildings, as set out in the above Request Summary.

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#### **Implementation**

The County Council is of the view that the above contributions comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory obligation. Accordingly, it is requested that the Local Planning Authority seek a section 106 obligation with the developer/interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement.

Would you please confirm when this application will be considered and provide us with a draft copy of the Committee report prior to it being made publicly available. If you do not consider the contributions requested to be fair, reasonable and compliant with CIL Regulation 122, it is requested that you notify us immediately and allow us at least 10

working days to provide such additional supplementary information as may be necessary to assist your decision making process in advance of the Committee report being prepared and the application being determined.

Kent County Council confirms, in accordance with CIL Regulation 123, there are no more than 4 other obligations towards these projects.

We look forward to hearing from you with details of progress on this matter.

Yours faithfully,



**Allan Gilbert**  
Development Investment  
*Kent County Council*

cc Mr Robin Gill, Clarendon Homes and Trustees of the Andrew Cheale Estate,  
Clarendon House, Ashford Rd, Harrietsham, Maidstone, Kent ME17 1BW  
Maidstone Borough Council, Planning Department, King St, Maidstone  
– FAO Richard Timms MA/19/500769  
KCC Education & Communities, Invicta House  
File

Appendix:

The following Appendix contains the technical details of the County Council's assessment:

1. Education assessment
2. Communities assessment
3. Social Care assessment



**KCC developer contribution assessment for Primary Education**

<b>District:</b> Tonbridge and Malling	<b>1-bed:</b> 24
<b>Site:</b> Land South West Of London Road And West Of Cactor Park Allington Maidstone Kent	<b>Houses:</b> 68
<b>Plan ref:</b> TM/19/00376	<b>Flats:</b> 14
<b>Date:</b> 26/04/2019	<b>Total units:</b> 106

**Current and forecast pupils on roll for schools within**

		East Malling planning area					
DfE no.	School	2017-18 (A)	2018-19 (A)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)
2514	Brookfield Infant School	178	177	172	172	178	182
5223	Brookfield Junior School	235	254	244	247	248	248
5208	Dilton CE Junior School	248	240	247	247	250	252
5212	Dilton Infant School	175	164	174	174	180	184
3324	Leybourne St. Peter and St. Paul CE Primary School	209	209	210	210	214	218
2562	Lunsford Primary School	210	207	211	213	216	219
2006	St. James the Great Academy	195	183	201	202	208	212
3057	St. Peter's CE Primary School (Aylesford)	165	164	166	165	170	172
2030	Valley Invicta Primary School at Aylesford	301	329	319	337	343	350
Current and forecast pupils on roll (excluding the expected pupil product from all new developments)		1,916	1,927	1,946	1,967	2,009	2,037
Required capacity to maintain 5% surplus capacity		2,017	2,028	2,048	2,070	2,114	2,144

**Current and forecast capacity for schools within**

		East Malling planning area					
DfE no.	School	2017-18 (A)	2018-19 (A)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)
2514	Brookfield Infant School	180	180	180	180	180	180
5223	Brookfield Junior School	240	244	244	248	252	252
5208	Dilton CE Junior School	256	256	256	256	256	256
5212	Dilton Infant School	180	180	180	180	180	180
3324	Leybourne St. Peter and St. Paul CE Primary School	210	210	210	210	210	210
2562	Lunsford Primary School	210	210	210	210	210	210
2006	St. James the Great Academy	210	210	210	210	210	210
3057	St. Peter's CE Primary School (Aylesford)	168	168	168	168	168	168
2030	Valley Invicta Primary School at Aylesford	330	345	360	360	360	360
Current and forecast capacity (1)		1,984	2,001	2,018	2,022	2,026	2,026

(1) Including expansion projects at existing schools that have successfully passed through statutory processes but may not yet be complete

**Expected pupil product from new developments within:**

		East Malling planning area		
Planning reference	Development	Houses	Flats	Primary product
TM/19/00246	Pinewood Depot Winterfield Lane East Malling West Malling	13	0	4
TM/18/03048	Garden Centre Rear Of 400 Hermitage Lane Maidstone Kent ME16 9NT	17	0	5
TM/18/03031	Development Site North Of 51 Amber Lane Kings Hill West Malling Kent	73	2	21
TM/18/03032	Heath Farm Wateringbury Road East Malling West Malling Kent	40	0	11
TM/18/02966	Development Site South Of Brampton Field Between Bradbourne Lane And Kin Barn Road Dilton Aylesford	270	6	76
TM/18/03008	Site East Of Clare Park Estate New Road East Malling West Malling Kent	110	0	31
TM/18/00995	94 Mill Hill Aylesford Kent ME20 7JN	0	13	1
TM/17/03513	Land West Of Hermitage Lane and East Units 4a, 4b & 4c Mills Road Quarrywood Industrial Est Aylesford	33	12	10
TM/17/03350	Former Somerfield Distribution Centre, Station Road, Aylesford (S106)	56	20	0
TM/17/01595	London Road & Hermitage Lane, Aylesford	840	0	235
TM/17/00964	Phoenix House Forstal Road Aylesford Kent ME20 7AU (S106)	12	0	0
TM/16/03657	Land North of Junction New Hythe Lane & Sheldon Way Larkfield The Old Print Works (S106)	4	8	0
Previously assessed developments in the area		1,468	61	393
This development		68	14	20

**Assessment summary**

Detail	2017-18 (A)	2018-19 (A)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)
Surplus / (deficit) capacity (excluding the expected pupil product from all new developments)	23	-25	-30	-48	-88	-118
Expected pupil product from previously assessed developments	393	393	393	393	393	393
Surplus / (deficit) capacity including the expected pupil product from previously assessed developments	-126	-419	-423	-442	-482	-511
Expected pupil product from this development	20	20	20	20	20	20
Surplus / (deficit) capacity including the expected pupil product from previously assessed developments and this development	-146	-439	-443	-462	-502	-531
Expected pupil product from this development that on current plans for school provision <b>cannot be accommodated</b>	20	20	20	20	20	20

**Background notes:**

Pupil forecasts 2018 (base + migration) employed from September 2018. Incorporating roll data from Schools Census Autumn 2017. Data from the Health Authority includes pre-school children born up to 31st August 2017. Forecasts use trend data over the previous three years.

**Expected pupil product from new developments within the planning area**

Where a section 106 agreement has been secured for a development (indicated by code S106 in brackets), the expected pupil product from that development has been shown as zero. This indicates that the pupil product need arising from the development has been mitigated by the developer.

**KCC developer contribution assessment for Secondary (Years 7-11) Education**

<b>District:</b>	Tonbridge and Malling	<b>1-Unit:</b>	24
<b>Site:</b>	Land South West Of London Road And West Of Colver Park Allington Maidstone Kent	<b>House:</b>	50
<b>Plan ref:</b>	TM/19/00376	<b>Flats:</b>	14
<b>Date:</b>	26/04/2019	<b>Total units:</b>	108

Current and forecast pupils on roll for schools within		Malling non-selective and Maidstone & Malling selective planning areas										
SPE no.	School	2017-18 (A)	2018-19 (A)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)
5415	Aylesford School - Sports College	682	667	721	724	763	768	811	879	832	834	839
4065	Hornedadd School	538	530	530	540	517	573	579	597	681	695	615
5429	Malling School	221	206	176	198	199	1,018	1,036	1,063	1,065	1,068	1,076
4056	Invicta Grammar School	1,098	1,107	1,164	1,164	1,172	1,189	1,214	1,237	1,252	1,267	1,280
4022	Maidstone Grammar School	931	977	978	998	1,003	986	1,023	1,045	1,057	1,070	1,072
4023	Maidstone Grammar School For Girls	885	899	896	887	880	888	902	923	931	941	943
5422	Oswood Park Grammar School	763	783	783	784	775	778	792	809	811	824	823
Current and forecast pupils on roll (including the expected pupil product from all new developments)		5,617	5,944	5,947	6,043	6,023	6,237	6,327	6,503	6,552	6,600	6,631
Required capacity to maintain 9% surplus capacity		5,913	6,152	6,259	6,365	6,466	6,565	6,661	6,846	6,896	6,957	6,980

Current and forecast capacity for schools within		Malling non-selective and Maidstone & Malling selective planning areas										
SPE no.	School	2017-18 (A)	2018-19 (A)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)
5415	Aylesford School - Sports College	900	900	900	900	900	900	900	900	900	900	900
4065	Hornedadd School	900	900	900	900	900	900	900	900	900	900	900
5429	Malling School	806	830	830	830	830	830	830	830	830	830	830
4056	Invicta Grammar School	1,122	1,170	1,200	1,152	1,109	1,056	1,008	960	960	960	960
4022	Maidstone Grammar School	900	900	900	900	900	900	900	900	900	900	900
4023	Maidstone Grammar School For Girls	900	900	900	900	900	900	900	900	900	900	900
5422	Oswood Park Grammar School	770	790	790	800	800	800	800	801	810	810	810
Current and forecast capacity (1)		6,287	6,317	6,385	6,577	6,599	6,511	6,433	6,388	6,388	6,388	6,385

(1) Including expansion projects at existing schools that have successfully passed through statutory processes but may not yet be complete.

Expected pupil product from new developments within		Malling non-selective and Maidstone & Malling selective planning areas		
Planning reference	Details	House	Flats	Secondary product
TM/18/0246	Pinewood Depot Westerfield Lane East Malling West Malling	11	0	3
TM/18/0208	Golden Centre Rise Of 400 Hermitage Lane Maidstone Kent ME14 9YT	11	0	3
TM/18/0301	Development Site North Of 21 Aylesford Lane Kings Hill West Malling Kent	73	2	15
TM/18/0303	Development Site between 23 Kings Hill Avenue & 8 Abbey Wood Rd, Kings Hill	0	36	0
TM/18/0305	Development Site between 1 Tower View and 39 Kings Hill Avenue, Kings Hill West Malling	0	46	1
TM/18/0304	Development Site North And End Of Jubilee Way Kings Hill West Malling Kent	111	37	6
TM/18/0302	Heath Farm Intermediary Road East Malling West Malling Kent	492	0	3
TM/18/0246	Development Site South Of Watlington Faze between Broadbourne Lane And Kings Hill Road Ditcher Aylesford	220	6	14
TM/18/0208	Site East Of Care Park Estate New Road East Malling West Malling Kent	110	0	22
TM/18/0203	Plot at Corner Of Lower Road & Town Street West Malling	60	0	4
TM/18/0213	Land East Of Kings Hill West Malling Kent	125	0	6
TM/18/0246	94 Hill Hill Aylesford Kent ME20 7ZN	0	13	1
TM/17/0313	Land West Of Hermitage Lane and East Limits A4, A6 & A6c Hill Road Quarrywood Industrial Est Aylesford	33	13	7
TM/17/0302	Former Distribution Centre, Station Road, Aylesford	56	20	12
TM/17/0271	The Cabare, 78A Rochester Road, Aylesford, Kent, ME20 7JH	146	0	26
TM/17/0164	Site of former Upper Bell Pk, 1 Chatham Road, Aylesford	4	8	1
TM/17/0105	London Road & Hermitage Lane, Aylesford	968	0	188
TM/17/0064	Phoenix House, Parkside Road, Aylesford (S106)	17	0	3
TM/14/0367	Land North of Junction New Hythe Lane & Shalton Way Landfill The Old Print Works	4	8	1
MA/18/0089	51 Cranborne Road Maidstone Kent ME14 2BQ	6	10	0
MA/18/0087	Land West of Lower Green and Windmill Close Allen Lane Lymington	4	6	2
MA/18/0056	Beechley Scaap Kent, Claygate Road, Maidstone ME18 4BB	32	0	2
MA/18/0054	27-37 Lower Stone Street, Maidstone ME15 6JH	0	18	0
MA/18/0047	11 Waterloo Street Maidstone ME15 7UG	0	10	0
MA/18/0043	Beechley Park Secondary Lane Dutton Maidstone Kent	1,200	310	67
MA/18/0029	1-3 Foster Street Maidstone ME15 6JH	3	9	0
MA/18/0028	Lynwood Farm Green Lane Boughton Monchelsea	79	0	4
MA/18/0014	Kent House Romney Place Maidstone Kent ME15 6EA	5	16	0
MA/17/0005	1a Eichele, Church Lane, Hennechere, ME17 8JG	10	0	1
MA/17/0004	Spencers Field Goudhurst Road Marden Kent (S106)	30	6	0
MA/17/0003	Marden Cricket and Hockey Club, Stoney Road, Marden (S106)	103	6	0
MA/17/0002	KCC Springfield, Sandford Road, Maidstone	9	106	2
MA/17/0043	Burmesia Street, Maidstone (S106)	14	33	0
MA/17/0042	Car Park, Union Street/Queen Anne Road, Maidstone (S106)	17	18	0
MA/17/0030	Land at Castle Dome, Maidstone	14	0	1
MA/17/0018	Land West of Wood Lane, Bygonne Street, Hollingbourne	10	1	1
MA/17/0015	Land at Forest Hill, Trow	20	5	1
MA/17/0012	Springfield Hill, Sandring Road, Maidstone (S106)	70	151	0
MA/17/0010	Land East of Cedar Gardens, Old Millpond Road, Lymington	10	0	1
MA/17/0007	Site (H100), Korfal Lane, Cotham (S106)	218	0	0
MA/17/0017	Land West of Eulope Park, Sittingsbourne Road (S106)	33	6	0
MA/17/0016	Beechley Apartments, 10-12 London Road, Maidstone	12	0	1
MA/17/0014	Land North Of Becken Road Sutton Road Maidstone (S106)	212	6	8
MA/17/0010	Springfield Park, Engineers Road, Maidstone	0	140	2
MA/17/0008	The Maidstone Station Victoria Business Park New Cut Road Maidstone	54	23	3
MA/17/0007	Land North of Old Ashford Road, Lymington	111	0	6
MA/18/0060	East of Ashford Street, Hollingbourne	33	0	1
MA/18/0060	Land South of Vivarage Road, Maidstone (S106)	62	5	0
MA/18/0074	3MC Caberney Hill, Maidstone	0	72	0
MA/18/0071	Land At Eicknor Farm Sutton Road Langley Kent ME17 3NG (S106)	0	18	0
MA/18/0070	150a Hill Farm, Gigg Lane, Maidstone (S106)	55	0	0
MA/18/0068	Land South of Heath Road, Cotham	88	0	2
MA/18/0066	Sharp House, Trow Green, Trow	12	0	1
MA/18/0067	17-23 Church Street, Trow Maidstone Kent ME15 6BP	9	2	0
MA/18/0062	Headcorn Hill Boleborden Road Headcorn Kent TN27 9JQ	14	0	1
MA/18/0040	Vivarage Field, Warren Farm, Lymington, Lymington	13	0	1
MA/18/0047	Bell Farm, North Street, Barming (S106)	14	1	0
MA/18/0040	Kent Cottage And Cheese Milling, Gigg Lane, Headcorn Kent	25	0	1
MA/18/0045	Wren's Cross, Upper Stone Street, Maidstone	0	90	1
MA/18/0075	Land At Eicknor Farm Sutton Road Langley Kent ME17 3NG (S106)	220	73	0
MA/18/0048	Land At Church Road Mertonton	46	0	5
MA/18/0061	Land At Church Street and Heath Road Boughton Monchelsea	31	0	2
MA/18/0081	Land West Of 71 Heale Hill Road Boughton Monchelsea	11	0	1
MA/18/0070	Springwood Campus Farming, Hermitage Lane, Maidstone (S106)	33	12	0
Previously assessed developments in the area		5,046	1,284	461
The development		58	14	11

District	2017-18 (A)	2018-19 (A)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)
Excess / (shortfall) capacity (including the expected pupil product from all new developments)	674	362	438	534	576	584	666	684	753	762	751
Expected pupil product from previously assessed developments	1,451	1,511	1,511	1,511	1,511	1,511	1,511	1,511	1,511	1,511	1,511
Surplus / (deficit) capacity including the expected pupil product from previously assessed developments	30	150	120	130	130	130	130	130	130	130	130
Expected pupil product from this development	14	14	14	14	14	14	14	14	14	14	14
Surplus / (deficit) capacity including the expected pupil product from previously assessed developments and this development	19	166	136	144	144	144	144	144	144	144	144
Expected pupil product from this development that on current plans for school provision cannot be accommodated	0	14	14	14	14	14	14	14	14	14	14

**Background notes:**

High forecasts 2018 (Base + migration) employed from September 2018 incorporating all data from Schools Census Autumn 2017. Data from the Health Authority includes (on-school) 14888 born up to 31st August 2017. Forecasts use trend data over the previous three years.

**Expected pupil product from new developments within the planning area**

Where a section 106 agreement has been secured for a development (indicated by code S106 in brackets), the expected pupil product from that development has been shown as zero. This indicates that the pupil product used arising from the development has been mitigated by the developer.

APPENDIX 2

**KCC Communities**

Development Contributions Assessment

Site Name	Land SW of London Rd & W of Castor Pk, Allington
Reference No.	TM/19/00376
District	Tonbridge and Malling
Location (Ward)	Aylesford
Assessment Date	15/03/2019
Development Size	106

COMMUNITY LEARNING & SKILLS		
	Centres	Outreach
Current adult participation in Tonbridge and Malling district	1,988	468
LESS Current Service Capacity	1,436	451
Initial capacity shortfall/surplus (Year ending 2011)	-552	-17
<b>New adult participation from this development</b>	<b>4.95 clients</b>	<b>2.66 clients</b>
Will service capacity be exceeded?	YES	YES
<b>Contributions requested from this development</b>		£32.57 per dwelling
<i>106 dwellings from this proposal</i>		<b>£3,452.36</b>
<i>Contributions requested towards Aylesford School Adult Education Centre additional equipment and classes</i>		

YOUTH SERVICE	
	Centres
Current youth participation in Tonbridge and Malling district	812
LESS Current Service Capacity	536
Initial capacity shortfall/surplus (Year ending 2011)	-276
<b>New youth participation from this development</b>	<b>3.1 clients</b>
Will service capacity be exceeded?	YES
<b>Contributions requested from this development</b>	£13.47 per dwelling
<i>106 dwellings from this proposal</i>	<b>£1,427.84</b>
<i>Contributions requested towards Aylesford Youth Club</i>	

LIBRARIES			
	Larkfield Library	Mobile Service Library	Library Stock
Libraries assessed for this development			
Current overall library borrower numbers in assessed area	3,842	6,975	
LESS Area Service Capacity	2,517	3,160	
Initial capacity shortfall/surplus (Year ending 2011)	-1,325	-3,815	
<b>New borrowers from this development</b>	<b>28.74 borrowers</b>	<b>28.74 borrowers</b>	<b>57.48 borrowers</b>
Will service capacity be exceeded?	YES	YES	YES
<b>Contributions requested from this development</b>			£79.35 per dwelling
<i>106 dwellings from this proposal</i>			<b>£8,411.47</b>
<i>Contributions requested towards Larkfield Library enhancement and bookstock</i>			

<b>Net contributions requested for KCC Communities' Services</b>	<b>£13,291.67</b>
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<b>APPENDIX 3</b>	<b>Social Care</b> Land SW of London Rd & W of Castor Park, Allington TM/19/00376			
		<b>106 Households</b>		
	<u>Project</u>	<u>Project name</u>	<u>Cost per Household</u>	<u>Cost for this Site</u>
	Changing Place Facility	Aylesford Priory	£ 55.90	
		<u>£ 55.90</u>	<u>£ 5,925.40</u>	
and	<b>1 Wheelchair Adaptable Home</b>	delivered as part of the on site affordable homes		



## Second response



### Economic Development

Invicta House  
County Hall  
Maidstone  
ME14 1XX

Phone: 03000 417075  
Ask for: Allan Gilbert  
Email: [allan.gilbert@kent.gov.uk](mailto:allan.gilbert@kent.gov.uk)

10 January 2020

Your Ref: TM/19/00376/OAEA  
Our Ref: K/E/TM/19/00376 AG (2)

Tonbridge & Malling Borough Council  
Development Control  
Gibson Building  
Gibson Drive  
Kings Hill  
WEST MALLING  
Kent  
ME19 4LZ

FAO: Matthew Broome

Dear Matthew,

### **Provision and Delivery of County Council Community Services**

I refer to the above planning application which concerns proposed residential development at **Land South West of London Road & West of Castor Park, Allington** and comprising: **106 new households**.

The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

- 1) Necessary,
- 2) Related to the development, and
- 3) Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

### Request Summary

	Per 'applicable' House (x106)	Per 'applicable' Flat	Total	Project
Primary Education	£4535.00	£1134.00	£480,710.00	Towards Phase 1 of a new Aylesford Primary School
Primary Land	£3208.18	£802.05	£340,067.08	Towards land acquisition for a new Aylesford Primary School
Secondary Education	£4115.00	£1029.00	£436,190.00	Towards additional places within the Malling non selective and Maidstone and Malling selective Secondary schools planning area

'Applicable' excludes 1 bed units of less than 56 sqm GIA - please confirm if any 1 bed houses or flats below this threshold are proposed?

	Per Dwelling (x106)	Total	Project
Community Learning	£32.57	£3,452.36	Aylesford School Adult Education Centre additional equipment for the new learners
Youth	£13.47	£1,427.84	Towards Youth resources in the local area
Library bookstock	£79.35	£8,411.47	Towards Larkfield Library enhancement and additional bookstock for the new borrowers
Social Care	£55.90	£5,925.40	Towards the Aylesford Priory Changing place facility
	<b>1 Wheelchair Adaptable Home</b> as part of the on site affordable homes delivery		
Broadband:	<p><b>Condition:</b> Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.</p> <p><b>Reason:</b> To provide high quality digital infrastructure in new developments as required by paragraph 112 NPPF.</p>		

Highways	Kent Highway Services will advise separately
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Please note that these figures:

- are to be **index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment** (Oct-16 Index 328.3)
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

**Justification for infrastructure provision/development contributions requested**

The County Council has reviewed the impact of this proposal on the provision of its existing services and the outcomes of this process are set out below and in the Appendices **1, 2 & 3** attached.

**Primary Education**

The proposal gives rise to 30 additional primary school pupils during occupation of the development. This need, cumulatively with other new developments in the vicinity, can only be met through the provision of a new Primary School in Aylesford.

The additional Primary School pupils arising from the proposal could only be accommodated through the construction of a new primary school; there are no existing local schools which can be expanded to mitigate the direct demand generated. The ability for the County Council to mitigate the impact of the proposed development is dependent on securing land in the local area of sufficient size to accommodate a two-form entry primary school; this process is currently ongoing through both the Borough's Local Plan process and as part of a current separate planning application (TM/17/01595).

Land required for the school is not within this application site and is not yet within the County Council's ownership nor is the landowner of the intended school land obligated to transfer it to the County Council as part of an existing planning obligation. The intended new school which will form mitigation for this proposal is within site LP28 of Tonbridge and Malling's draft Local Plan, the proposed policy for which includes provision of a Two Form Entry Primary School Site. The Local Plan is at submission stage as of January 2019 and consequently is not yet adopted policy; there is not yet assurance that the provision of a Two Form Entry primary school site will be made within the Aylesford area.

The proposed allocation site (LP28) is subject to a current planning application (TM/17/01595) for 840 new dwellings and a primary school, the application does include provision of land for a school but the area of land has not yet been finalised; should the area not be sufficient to accommodate a two form entry school then the new school within TM/17/01595 would not be able to act as mitigation for this application site TM/19/00376.

A suitable mechanism such as a Grampian condition to prevent the development from generating pupil demand prior to the necessary school site being secured by the County Council would be required to ensure the direct impact of the proposal could be mitigated.

This proposal has been assessed in accordance with the KCC Development Contributions Guide methodology of *'first come, first served'* assessment; having regard to the indigenous pupils, overlain by the pupil generation impact of this and other new residential developments in the locality.

The County Council requires a financial contribution towards the build costs of a **new Primary School in Aylesford at £4535 for each 'applicable' house & £1134 for each 'applicable flat** ('applicable' means: all dwellings, except 1 bed of less than 56sqm GIA and any sheltered accommodation).

The County Council also requires proportionate contributions towards the Primary School **land** aquisition cost at **£3208.18 per applicable house** and **£802.05 per applicable flat**.

The site acquisition cost is based upon current local land prices and any section 106 agreement would include a refund clause should all or any of the contribution not be used or required. The school site contribution will need to be reassessed immediately prior to KCC taking the freehold transfer of the site to reflect the price actually paid for the land.

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority has to ensure provision of sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011

KCC will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its Commissioning Plan for Education Provision 2019-23 and Delivering Bold Steps for Kent - Education, Learning and Skills Vision and Priorities for Improvement, Dec 2013.

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#### **Secondary School Provision**

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 1

A contribution is sought based upon the additional need required, where the forecast secondary pupil product from new developments in the locality results in the maximum capacity of local secondary schools being exceeded.

The proposal is projected to give rise to 21 additional secondary school pupils from the date of occupation of this development. This need can only be met through the provision of additional places within the **Malling non selective** and **Maidstone and Malling selective Secondary schools planning area**.

Please note where a contributing development is to be completed in phases, payment may be triggered through occupation of various stages of the development comprising an initial payment and subsequent payments through to completion of the scheme.

The new secondary school accommodation will be provided through enhanced teaching space at Aylesford School and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan (where available); timetable and phasing.



Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

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### **Community Learning**

There is an assessed shortfall in provision for this service: the current adult participation in both District Centres and Outreach facilities is in excess of current service capacity, as shown in Appendix 2, along with cost of mitigation.

To accommodate the increased demand on KCC Adult Education service, the County Council requests **£32.57 per dwelling** towards the cost of providing additional equipment and classes at Aylesford School Adult Education Centre, local to the development.

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### **Libraries**

KCC are the statutory library authority. The library authority's statutory duty in the Public Libraries and Museums Act 1964 is to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

Borrower numbers are in excess of capacity, and there is an assessed shortfall in bookstock provision of 1007 bookstock per 1000 population in Tonbridge North which is below the County average of 1134, and both the England and total UK figures of 1399 and 1492 respectively. The capital cost of providing enhancements to Larkfield Library and supplying the additional stock required to mitigate the impact of the additional borrowers from this development is **£8,411.47**.

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### **Youth Service**

To accommodate the increased demand on KCC services the County Council requests **£13.47 per dwelling** towards Youth resources locally.

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### **Social Care**

The proposed development will result in additional demand upon Social Care (SC) (older people, and also adults with Learning or Physical Disabilities) services, however all available care capacity is fully allocated already, and there is no spare capacity to meet additional demand arising from this and other new developments which SC are under a statutory obligation to meet. In addition, the Social Care budgets are fully allocated, therefore no spare funding is available to address additional capital costs for social care clients generated from new developments.

To mitigate the impact of this development, KCC Social Care requires:

- a proportionate monetary contribution of **£55.90 per household** (as set out in Appendix 3) towards Changing Places facility at Aylesford Priory local to the development.
- Please also ensure the delivery of **1 Wheelchair Adaptable Home** (as part of the affordable housing element on this site), with nomination rights given in consultation with KCC Social Care; need as evidenced below:

Local Authority	High priority applicants needing wheelchair accessible housing	Comments on waiting time	Any other observations (Kent Agency Assessment: KAA)
Tonbridge & Malling BC	24	Average 106 weeks waiting time since March 2012	All Band A cases

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#### **Broadband: Fibre to the premise/gigabit capable**

The NPPF (para 112) and The Department for Digital, Culture, Media and Sport requires full fibre connection to new developments being gigabit capable fibre optic to the premise connection for all.

Please include a Planning Condition to provide 'fibre to the premise' (FTTP) broadband connections to all premises of gigabit capacity.

Developers are advised to make early contact with broadband providers, as there can be a lead in time for cable installation and associated infrastructure.

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#### **Implementation**

The County Council is of the view that the above contributions comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory obligation. Accordingly, it is requested that the Local Planning Authority seek a section 106 obligation with the developer/interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement.

Would you please confirm when this application will be considered and provide us with a draft copy of the Committee report prior to it being made publicly available. If you do not consider the contributions requested to be fair, reasonable and compliant with CIL

Regulation 122, it is requested that you notify us immediately and allow us at least 10 working days to provide such additional supplementary information as may be necessary to assist your decision making process in advance of the Committee report being prepared and the application being determined.

We look forward to hearing from you with details of progress on this matter.

Yours faithfully,



**Allan Gilbert**  
Development Investment  
Kent County Council

cc Mr Robin Gill, Clarendon Homes and Trustees of the Andrew Cheale Estate,  
Clarendon House, Ashford Rd, Harrietsham, Maidstone, Kent ME17 1BW  
Maidstone Borough Council, Planning Department, King St, Maidstone  
– FAO Richard Timms MA/19/500769  
KCC Education & Communities, Invicta House  
File

Appendix:

The following Appendix contains the technical details of the County Council's assessment:

1. Education assessment
2. Communities assessment
3. Social Care assessment